REMARKS

Claims 1-14 are presently in the application.

Claim Rejections – 35 USC § 103

Claims 1-14 are rejected under 35 USC 103(a) as being unpatentable over Cunniff et al. (US 5,842,015) in view of Sankaranarayan et al. (US 6,799,208). This rejection is respectfully traversed for the following reasons.

Cunniff describes a way to manage limited hardware resources operating in a computer system having multiprocessing/multitasking capability where multiple asynchronous applications may seek to access a limited hardware resource at substantially the same time. In order to do this, a hardware resource manager uses a shared memory buffer. A resource daemon retrieves the commands, interprets the commands, and processes them.

With respect to the step of "executing at least one application at a user mode level of said computer system", the Examiner points to the application programs 12 requesting an operation to be performed via the limited hardware resources.

With respect to the step of "having said at least one application at said user mode level determine a sequence to be followed for a set of commands", the Examiner points to the command information received from the applications (i.e. operation to be performed by the limited hardware resource) and the sequence being determined by placement in the shared memory buffer. However, it is the resource daemon (or the hardware resource manager) that accesses the shared memory buffer that decides which sequence is to be followed, i.e. in what order the applications get to access the limited hardware resource. Alternatively, the shared memory buffer acts as a First In First Out (FIFO) and therefore, the applications do not determine the sequence to be followed for the set of commands but instead the timing of receipt of each

2

command (i.e. a request to access the limited hardware resource) becomes determinant in the sequence to be followed. In either of these cases, Cunniff teaches against "having said at least one application at said user mode level determine a sequence to be followed for a set of commands".

The Applicant respectfully submits that in order to manage access to the limited hardware resources, the reference teaches away from having any one of the applications decide a sequence to be followed for a set of commands and in fact, intentionally removes this responsibility from each application individually and puts it in the hands of a hardware resource manager. This is clearly shown to be an objective of Cunniff and any person of ordinary skill in the art would therefore be led in a direction divergent from the path that was taken by the Applicant.

Contrary to what is being alleged by the Examiner, combining Sankaranarayan et al. with Cunniff would not lead to the claimed subject matter. Sankaranarayan et al. does not address the deficiencies of Cunniff. The Applicant would like to emphasize that the claims are directed to executing in real time a set of commands in accordance with a sequence determined by that application, and that this differs significantly from managing a plurality of applications' access to a limited hardware resource. Not only does the reference lead the person of ordinary skill in the art away from the teachings of the claim, but there is no reasonable expectation of success to achieve the claimed invention based on the cited references.

Therefore, the Applicant respectfully requests that the rejection against claims 1-14 be withdrawn.

Conclusions

It is believed that Claims 1-14 are allowable over the prior art and a Notice of Allowance is earnestly solicited.

3

Respectfully submitted,

Michel Doyon et al.

By:
_____/ALEXANDRA DAOUD/____

Alexandra Daoud
Registration No 55,992
Customer Number: 020988